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FM AMEMBASSY KATHMANDU  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 1009  
INFO RUEHBJ/AMEMBASSY BEIJING PRIORITY 4147  
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RUEHKA/AMEMBASSY DHAKA PRIORITY 9503  
RUEHIL/AMEMBASSY ISLAMABAD PRIORITY 2396  
RUEHLO/AMEMBASSY LONDON PRIORITY 3800  
RUEHNE/AMEMBASSY NEW DELHI PRIORITY 9494  
RHEFDIA/DIA WASHDC PRIORITY  
RHHMUNA/CDR USPACOM HONOLULU HI PRIORITY  
RUEKJCS/SECDEF WASHDC PRIORITY  
RUEAIIA/CIA WASHDC PRIORITY  
RHEHNSC/NSC WASHDC PRIORITY

C O N F I D E N T I A L KATHMANDU 000908

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DEPT FOR SCA/INS, SCA/PPD

E.O. 12958: DECL: 03/28/2016

TAGS: [PGOV](#) [PHUM](#) [PTER](#) [NP](#)

SUBJECT: GOVERNMENT PREEMPTIVELY ARRESTS PARTY LEADERS

REF: A. KATHMANDU 895

[B](#). KATHMANDU 831

[C](#). KATHMANDU 200

[D](#). KATHMANDU 888

Classified By: Ambassador James F. Moriarty. Reasons 1.4 (b/d).

[1](#). (U) This cable contains an action request. See paragraph [11](#).

Summary

[12](#). (C) Citing fears that the Maoists would infiltrate the April 6-9 peaceful protest program of the seven-party alliance and turn it violent through targeted assassination, the government arrested over 100 political party leaders at their homes during the early morning hours of April 5 and in early evening declared a night-time curfew within the ring road of Kathmandu from 11 p.m. to 3 a.m. This action came despite the Maoists' April 3 declaration of a unilateral cease-fire for the Kathmandu Valley (ref A) that stated the Maoists would not infiltrate the parties' peaceful action. The government made the arrests under the Public Security Act, "to maintain peace and security in the society." On April 5 police also arrested scores of additional party and civil society activists who were rallying in the streets of Kathmandu despite a ban on all public gatherings inside the ring road announced on April 4. End Summary.

Government Acts Citing Fear of Maoist Infiltration

[13](#). (C) On April 5, the government preemptively arrested more than sixty politicians from their homes in advance of the seven-party alliance announced general strike April 6-9 (other politicians had gone underground). Police also arrested other civil society members for demonstrating in the streets of Kathmandu in defiance of orders by local authorities on April 4 barring all public assemblies and rallies within the Ring Road area of Kathmandu starting on April 5. Leading up to the Party general strike, the Ambassador met with both Vice Chairmen and the Home Minister to urge His Majesty's Government of Nepal (HMG) not to take drastic action (ref B). On April 5, the Ambassador stressed to Foreign Minister Pandey that HMG should allow citizens the right to peaceful

protest and explained that the U.S. would take a hard tone if HMGN acted against party cadre. Pandey told the Ambassador that the government had information that the Maoists "categorically" planned to infiltrate the Kathmandu Valley with 1,000-plus cadre with the goal of assassinating key people and attacking the residences of senior officials to create "mass panic." Pandey commented that the Maoists would then tell people that this was not Maoist policy (ref A), but rather only "individual" cadre who had committed violence because of poor communication within the party. Pandey explained that the Maoists planned to using the cover of darkness, and avoid security checkpoints, presumably implying that the government planned to announce a nighttime curfew. On the 6:00 o'clock news, the district administrative offices of Lalitpur and Kathmandu announced a night-time curfew between 11:00 p.m. and 3:00 a.m for within the ring road of Kathmandu.

#### Government Arrests Leaders from Homes

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14. (C) On April 5, Party members told Emboff that the government began raiding the houses and arresting leaders of major political parties in the early morning hours. Party leaders told Emboff that the security forces arrested approximately 7 NC, 33 NC(D), and 22 UML party leaders, though they did not have definitive numbers and were still gathering information. Major Parties noted that police had been closely monitoring the activities of Party leaders, and many leaders had thus not slept at home the last several nights expecting government action. The British Charge opined to A/DCM that, unlike January 19, party leaders were expecting the government's action and those who did not want to be arrested had not slept at their own house on April 4, and thus the government appeared to have arrested fewer senior party leaders than on January 19. (Note: On January 19 police reported to Emboff (ref C) they had a list of 200 party cadre to arrest. End note).

15. (C) Police told Emboff they had arrested 70 political leaders and the Armed Police Force had arrested 35 political leaders on April 5 under the Public Security Act (PSA). Under the PSA, the government can detain anyone for up to three months without a warrant or a hearing "to maintain peace and security in the society." The government used the PSA to arrest politicians and others after the King took control on February 1, 2005, and again on January 19, 2006. (Note: On April 3, the UN Office of the High Commissioner for Human Rights told Emboff that the government was still detaining 8 people under PSA stemming from government arrests on January 19. End note.)

#### Parties Call Government Action "Total Violation" of Rights

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16. (C) Gopal Man Shrestha, NC (D) Acting General Secretary told us that the government had "crossed the limit" and was in "total violation" of human rights by preemptively arresting people despite the Parties' and Maoists' assurances that the April 6-9 strike would be peaceful. He added that police were watching the Party offices and homes of Party members, and so he and other party members expected to be arrested "at any time." He noted that the Parties were still urging the Maoists to announce a nationwide cease-fire, highlighting that such action would be in sharp contrast to the government's repressive actions. Condemning the government's actions, K.P. Oli, UML, told Emboff that the government, by "clamping down" on peaceful protests, was showing that it did not respect people's "fundamental human rights." "We are a peaceful movement," he stressed, and lamented that it was an "unacceptable" situation. He also highlighted the uncertainty of not knowing who the government might arrest next.

#### Parties Still Plan Rally on April 8

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17. (C) Shrestha stressed to Emboff that senior Party leaders

would not go underground. However, mid-level party leaders had gone underground to organize and attend the planned rally in Basantapur in Kathmandu on April 8, with the expectation that they would be arrested at that time for defying the government's ban on gatherings. Shrestha explained that the transport organizations were backing the Parties' general strike. Thus, the Parties expected that no vehicles would ply the roads beginning April 6. Likewise, K.P. Oli, UML, told Emboff that the seven-party alliance still planned to rally on April 8, noting that teachers and other civil society members had committed to joining the Parties' peaceful movement.

#### Police Arrest Demonstrators for Defying Demonstration Ban

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¶8. (C) On April 5, police also arrested for defying the government ban on demonstrations within Kathmandu at least 37 professionals including journalists, lawyers and professors at a peaceful rally in Kathmandu. Those arrested included president of Federation of Nepalese Journalists Bishnu Nisthuri and Chairman of Nepal Bar Association Sambhu Thapa. One participant who was injured during the protest program was undergoing treatment at a local hospital.

#### International Community and Human Rights Monitor Scrambling

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¶9. (C) Human rights organizations, including the Nepal Human Rights Commission (NHRC) and local NGO Informal Service Sector (INSEC), were scrambling to compile a list of those arrested. NGO Peace Brigades International was staffing the Human Rights Home to ensure that human rights defenders had a safe place to take refuge. Other Embassies reported that they were working on statements condemning the government's actions and seeking the immediate release of those arrested.

#### Comment

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¶10. (C) We need to send a clear and forceful denunciation of the government decision to preemptively incarcerate political party leaders thus preventing peaceful assembly to avoid Maoist violence.

#### Action Request

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¶11. (U) Post recommends that the department spokesperson issue a statement condemning His Majesty's Government of Nepal for banning all public gatherings and preemptively arresting political party leaders and human rights activists and calling for their release.

Begin suggested text.

#### U.S. Condemns Arrests, Calls for Release of Activists

The United States condemns the Government of Nepal's detention of opposition political party and civil society activists in advance of political demonstrations scheduled for April 6-9. The arrests and harassment of pro-democracy activists violate their fundamental civil rights.

The United States calls on the Government of Nepal to release thesQand other detained activists who have been held for voicing their opposition to autocratic rule in Nepal. Dialogue between Nepal's legitimate political forces -- the King and opposition political parties -- is the only effective way to return Nepal to democracy and address its Maoist insurgency. Such a dialogue is not possible in a climate in which the freedoms of speech and assembly are suppressed. The United States also urges the political parties and civil society to take steps to ensure their planned demonstrations in the coming days remain peaceful.

End Suggested Text.

¶12. (U) The following is background guidance if asked, on the Maoist unilateral cease-fire in Kathmandu (ref).

Start Suggested Guidance

¶Q. What is the US view of the Maoist decision to impose a cease-fire within the Kathmandu Valley during the upcoming protests?

¶A. This is a cynical step. The Maoists appear to be saying they will continue to engage in violence throughout the rest of the country.

Q: How can you oppose a cease-fire, however limited?

A: We recommend that the King should call for a negotiated cease-fire for Nepal featuring outside monitors. This would establish parameters for an effective cease-fire to prevent all killings, as well as Maoist abductions, kidnappings, and extortion and other human rights violations.

End suggested guidance.  
MORIARTY